

EXHIBIT A – FINDINGS
Minor Use Permit DRC2013-00133 (Land Conservancy of SLO)

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on October 8, 2015 for this project. Mitigation measures are proposed to address Aesthetics, Biological Resources, Cultural Resources, and Land Use and are included as conditions of approval.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of both Title 22 and Title 23 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed parking area and restrooms to provide access to a multi-use trail system does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the parking area and restrooms to provide access to a multi-use trail system has been sited in an area that is as far away as possible from the surrounding residential uses to the north and south. The parking and trail uses will not conflict with the surrounding lands and uses because the area will only be open to the public between dawn and dusk.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Mattie Road, an arterial road constructed to a level able to handle any additional traffic associated with the project. The project is subject to improvements required by the City of Pismo Beach through issuance of an encroachment permit from Mattie Road (in the City of Pismo Beach) to access the project site.

Coastal Access

- G. The proposed use is in conformity with the public access and recreation policies of Chapter 3 of the California Coastal Act, because the project is not adjacent to the coast and the project will not inhibit access to the coastal waters and recreation areas.

Sensitive Resource Area

- H. The development will not create significant adverse effects on the natural features of the site or vicinity that were the basis for the Sensitive Resource Area designation, and will preserve and protect such features through the site design, because structural development will be located below the 200-foot contour. Trail construction will follow existing contour lines to the greatest extent feasible.
- I. Natural features and topography have been considered in the design and siting of all proposed physical improvements because the proposed structural improvements have been located on the most level portions of the site below the 200-foot contour level to minimize site disturbance and visual impacts.
- J. The proposed clearing of topsoil, trees, is the minimum necessary to achieve safe and convenient access and siting of proposed structures, and will not create significant adverse effects on the identified sensitive resource, because the amount of site disturbance was reduced from the originally submitted plan based on other resources for avoidance and minimization of impacts. No trees will be removed as part of the structural development of the project. No trees are anticipated to be removed as part of the multi-use trail construction.
- K. The soil and subsoil conditions are suitable for any proposed excavation and site preparation and drainage improvements have been designed to prevent soil erosion, and sedimentation of streams through undue surface runoff, because structural improvements are located on the most level portions of the site and proposed drainage and access improvements, as proposed and conditioned, will provide infrastructure to avoid significant adverse impacts to drainages and water quality.

Streams and Riparian Vegetation

- L. The proposed project is for parking areas, restrooms and an ADA trail to access an 880 acre parcel that will contain multi-use trails for hiking, biking and equestrian uses. This is an allowable use in the Rural Lands land use category. The parking areas and ADA trail will be located where crossing of the three drainages is necessary; however, conditions of approval for the project include measures to ensure impacts are avoided/minimized. No alternative locations and routes are feasible, or are more environmentally damaging because the overall site is situated on very steep topography and the proposed structural improvements will be located on the most level portion of the site to minimize site disturbance and additional environmental impacts.
- M. Adverse environmental effects have been mitigated to the maximum extent feasible.
- N. The adjustment to the riparian setback is necessary to allow the project because the overall site is situated on very steep topography and the proposed structural improvements will be located on the most level portion of the site adjacent to the roadway, to minimize site disturbance and additional environmental impacts to visual and cultural resources.
- O. The adjustment to the riparian setback is the minimum that would allow for the project.

- P. There will be no significant negative impact on the identified sensitive habitat and the proposed use will be consistent with the biological continuance of the habitat. The proposed use will not significantly disrupt the habitat.

Parking Modification

- Q. The characteristics of a use, the site, or its immediate vicinity do not necessitate the number of parking spaces, types of design, or improvements required by this chapter because having a portion of the proposed parking area within the 10-foot front setback because the property is adjacent to CalTrans and City of Pismo Beach rights-of-way next to Highway 101 which will not be developed with any structures.
- R. No traffic safety problems will result from the proposed modification of parking standards because having a portion of the proposed parking area within the 10-foot front setback because the property is adjacent to CalTrans and City of Pismo Beach rights-of-way next to Highway 101 which will not be developed with any structures.

Archaeologically Sensitive Area

- S. The site design and development incorporate adequate measures to ensure that archeological resources will be acceptably and adequately protected because the amount of site disturbance was reduced from what was originally proposed in response to findings in the initial archaeological survey prepared for the project. Mitigation measures are included as conditions of approval that require a combination of avoidance and impact minimization techniques, and a mitigation plan (Phase III) for those impacts that cannot be avoided. The measures include monitoring by an archaeologist and Native American representative.
- T. The site design and development cannot be feasibly changed to avoid intrusion into or disturbance of archaeological resources because the parking areas are located on the most level areas of the site close to the existing access road in order to reduce the overall amount of site disturbance required. The amount of site disturbance has been reduced to the least amount needed to install the proposed improvements. Construction will use appropriate methods to protect the integrity of the site. Such methods include data recovery, placement of fill to raise the grade of parking facilities, construction monitoring, and public interpretation.